GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:235
ANSWERED ON:10.05.2016
State Human Rights Commissions
Joshi Shri Chandra Prakash;Singh Shri Sunil Kumar

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether State Human Rights Commissions (SHRCs) have been set up in all the States in the country and if so, the details thereof;

(b) if not, the names of States which have not set up SHRC along with the steps taken to set up SHRC in all the States;

(c) whether the Union Government is satisfied with the performance of such Commissions; and

(d) if so, the details thereof and if not, the corrective steps taken by the Union Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI KIREN RIJIJU)

(a) to (d): A Statement is laid on the Table of the House.
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STATEMENT IN REPLY TO THE LOK SABHA STARRED QUESTION NO.*235 FOR 10.05.2016.

(a): State Human Rights Commissions (SHRCs) have been set up in 26 States out of 29 States. Details are given below:-

(i) Independently in 23 States i.e. (1)Assam, (2)Bihar, (3)Chhattisgarh, (4)Goa, (5)Gujarat, (6)Haryana, (7)Himachal Pradesh, (8)Jammu & Kashmir, (9)Jharkhand, (10)Karnataka, (11)Kerala, (12)Madhya Pradesh, (13)Maharashtra, (14)Manipur, (15)Odisha, (16)Punjab, (17)Rajasthan, (18)Sikkim, (19)Tamil Nadu, (20) Tripura, (21)Uttarakhand, (22) Uttar Pradesh and (23)West Bengal have SHRCs;
(ii) Andhra Pradesh & Telangana are having a combined State Human Rights Commission,
(iii) Meghalaya has notified the constitution of State Human Rights Commission but it has not been established.

(b): Three States i.e. Arunachal Pradesh, Mizoram and Nagaland have not set up State Human Rights Commission. The National Human Rights Commission has requested these State Governments to establish SHRCs at an early date and the Central Government has also written to the States concerned to expedite the setting up of SHRCs.
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(c) & (d): As per Section 21 of the Protection of Human Rights Act, 1993, it is for the State Governments to constitute State Human Rights Commissions (SHRCs). The State Commissions are to facilitate and assist the State Government concerned in fulfilling their constitutional obligations and responsibilities for protecting and promoting the human rights of the citizens. As the jurisdiction of these Commissions has been specified by the Protection of Human Rights Act, 1993, the details of complaints received by each of the SHRCs are not maintained by Union Government.

As per Section 28 (2) of the Protection of Human Rights Act, 1993, the State Government shall cause the annual and special reports of the State Commission to be laid before each House of State Legislature where it consists of two Houses, where such Legislature consists of one House, before that House along with a memorandum of action taken or proposed to be taken on the recommendations of the State commission and the reasons for non-acceptance of the recommendations if any.
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